

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

DAVID A. MCDOUGALL,

Plaintiff,

Civil No. 20-1499 (JRT/LIB)

v.

**SPECIAL VERDICT**

CRC INDUSTRIES, INC.,

Defendant.

---

We, the Jury in this case, make these answers to the following questions:

**Count 1: Strict Products Liability – Defective Design**  
(Instruction Nos.     )

**QUESTION 1A:** Was CRC Industries, Inc.’s product in a defective condition unreasonably dangerous to users of the product because of CRC Industries, Inc.’s design?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

**QUESTION 1B:** If your answer to Question 1A was “Yes,” then answer this question: Was that design a direct cause of [David A. McDougall’s damages] [the crash that killed Cynthia McDougall]?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

|                      |
|----------------------|
| <b>EXHIBIT<br/>B</b> |
|----------------------|

**Count 2: Strict Products Liability – Failure to Warn**

(Instruction Nos.     )

**QUESTION 2A:** Was the product in a defective condition unreasonably dangerous to users of the product because CRC Industries, Inc. failed to provide adequate warnings for the safe use of the product?

         Yes

         No

**QUESTION 2B:** If your answer to Question 2A was “Yes,” then answer this question: Were the inadequate warnings a direct cause of [David A. McDougall’s damages] [the crash that killed Cynthia McDougall]?

         Yes

         No

**Fault**

(Instruction Nos.     )

**QUESTION 3A:** Was Cynthia McDougall negligent with respect to her own safety?

         Yes

         No

**QUESTION 3B:** If your answer to Question 3A was “Yes,” then answer this question: Was Cynthia McDougall’s negligence a direct cause of her own death?

         Yes

         No

**QUESTION 4A:** Did Kyle Neumiller know that huffing CRC Duster while driving on July 22, 2019 was substantially certain to result in harm?]

\_\_\_\_\_ Yes

\_\_\_\_\_ No

**QUESTION 4B:** Was Kyle Neumiller at fault for Cynthia McDougall's death?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

**QUESTION 4C:** If your answer to Question 4B was "Yes," then answer this question: Was Kyle Neumiller's fault a direct cause of Cynthia McDougall's death?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

*(If your answered "Yes" to Question 4A, do not answer Question 5 and instead proceed directly to Question 6.)*

**QUESTION 5:** Taking all of the fault that directly caused Cynthia McDougall's death as 100%, what percentage of fault do you attribute to:

CRC \_\_\_\_\_

Cynthia McDougall \_\_\_\_\_

Kyle Neumiller \_\_\_\_\_

**TOTAL: 100%**

*(If your answered "No" to Questions 3A or 3B, then your answer in Question 5 should be "0%" as to Cynthia McDougall. If you answered "No" to Questions 4B or 4C, then your answer in Question 5 should be "0%" as to Kyle Neumiller.)*

**Damages**

(Instruction Nos.     )

**QUESTION 6:** What amount of money will fairly and adequately compensate David A. McDougall for the pecuniary loss suffered by him resulting from Cynthia McDougall's death?

\$ \_\_\_\_\_

**YOU HAVE COMPLETED YOUR DELIBERATIONS. PLEASE HAVE THE FOREPERSON SIGN AND DATE THIS FORM BELOW.**

\_\_\_\_\_  
FOREPERSON'S SIGNATURE

\_\_\_\_\_  
DATE